

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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Lannon Lavar Burdunice,

Case No. 20-cv-2215 (MJD/TNL)

Petitioner,

v.

**ORDER**

State of Minnesota,

Respondent.

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Petitioner Lannon Lavar Burdunice requests leave to file a petition for a writ of coram nobis attacking the validity of a 2011 conviction for assault incurred in state court. *See* ECF No. 8. The motion is denied. Although the Court may in some circumstances consider a petition for a writ of coram nobis attacking the validity of a *federal* conviction, *see Baranski v. United States*, 880 F.3d 951, 954 (8th Cir. 2018), it lacks jurisdiction to consider a petition for a writ of coram nobis attacking the validity of a *state* conviction, *see White v. Polk County Attorney's Office*, 670 F. App'x 902, 903 (8th Cir. 2016) (*per curiam*); *Obado v. New Jersey*, 328 F.3d 716, 718 (3d Cir. 2003) (collecting cases). “[T]he common law scope of coram nobis was a writ from the judgment-issuing court to itself, granting itself power to reopen that judgment. It is not a writ that one court may issue to another.” *Rawlins v. Kansas*, 714 F.3d 1189, 1196 (10th Cir. 2013); *see, e.g., Korematsu v. United States*, 584 F. Supp. 1406, 1412 (N. D. Cal. 1984) (petition for writ of coram nobis “is appropriately heard by the district court in which the conviction was obtained”). To the extent that Burdunice seeks to challenge the 2011 conviction, he must do so through

a petition for a writ of habeas corpus (as he has done in this matter with respect to his 2018 convictions). That such a habeas petition may be subject to procedural limitations is not, by itself, a basis for invoking coram nobis relief.

**ORDER**

Based on the foregoing, and on all of the files, records, and proceedings herein, IT IS HEREBY ORDERED that the motion for leave to file a petition for a writ of coram nobis [ECF No. 8] is **DENIED**.

Date: December 22, 2020

s/ Tony N. Leung  
Tony N. Leung  
United States Magistrate Judge  
District of Minnesota

*Burdunice v. State of Minnesota*  
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